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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,793	12/08/2005	Akihisa Kobayashi	59559.00024	7512

32294 7590 12/10/2007
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EXAMINER

BODAWALA, DIMPLE N

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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12/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.	Applicant(s)	
10/559,793	KOBAYASHI ET AL.	
Examiner	Art Unit	
Dimple N. Bodawala	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) 2, 3 and 6-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

In view of the amendment filed on October 11, 2007 following rejections/objection are withdrawn as a reason of record from the previous office action, mailed on July 11, 2007.

- o Objection of specification.
- o Rejection of claims 1-5 under 35 U S C 112, second paragraph.
- o Rejection of claims 1-5 under 35 U S C 102 (b) as being anticipated by JP 2003-145600.
- o Rejection of claims 1-5 under 35 U S C 102 (e) as being anticipated by Amano (U S Patent No. 7,067,078).

Response to Arguments

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

New Grounds of Rejection

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa (U S Patent No. 6,120,711).
4. Takizawa ("711) discloses an accumulator controller for an injection molding machine which comprises an actuator (3) which is driven by oil supplied thereto (See figure 5; col.2 lines 32-36); an accumulator (2) disposed along an oil passage for supplying oil to the actuator (3) (See figure 5; col.2 lines 42-49); a drive pressure sensing section (23,24) for sensing the drive pressure for driving the actuator (3) (See col.2 lines 50-55); a charge pressure sensing section (22) for sensing the charge pressure of the accumulator (2) (See col.2 lines 50-55); and a charge pressure setting processing means (26) which sets the upper limit of the charge pressure on the basis of the pressure difference between the minimum sensed charge pressure of the charge pressure (P_c) which is sensed and the maximum sensed drive pressure of the drive pressure (P_o) which is sensed (See col.3 lines 6-12, 25-30, 36-45).
5. It further teaches that the charge pressure setting means sets the lower limit of the charge pressure on the basis of the upper limit (See col.1 lines 53-60; col.3 lines 46-67 through col.4 lines 1-5).

6. It further teaches that the pressure adjusting processing means (21) which adjusts the charge pressure on the basis of the sensed charge pressure (22-24) and the upper limit and the lower limit (See col.4 lines 5-11).
7. Takizawa ('711) discloses all claimed structural limitations as discussed above, and, thus, the claims are anticipated.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dimple N. Bodawala whose telephone number is (571) 272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DNB


YUSUKE YATANI, R. GUYER,
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700